

JUDGE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	No. CR23-5090-BHS
)	
Plaintiff,)	MR. GARCIA'S MOTION TO
)	REVOKE THE DETENTION ORDER
v.)	AND SET CONDITIONS OF RELEASE
)	
ASHTON GARCIA,)	NOTING DATE: June 16, 2023
)	
Defendant.)	<i>Oral Argument Requested</i>

Ashton Garcia, through counsel, respectfully moves this Court to revoke the Detention Order entered in this case and to set conditions of release. 19 U.S.C. § 3145(b). Mr. Garcia does not present an unmanageable risk of flight or danger to the community. Mr. Garcia timely objects to the magistrate judge's findings that he was a danger to the other and the community, a risk of failure to appear, and there were no conditions with could reasonably assure the Court. Dkt. 29. Fed. R. Crim. P. 59(a).

Mr. Garcia has constitutional and statutory rights to be released on the least restrictive conditions necessary. These rights protect Mr. Garcia's fundamental liberty, and ability to participate in his own defense. Because conditions of release can reasonably assure Mr. Garcia's appearance at future hearings and the safety of the community, the Court should revoke the Detention Order and order Mr. Garcia released on conditions.

1 DATED this 1st day of June 2023.

2 Respectfully submitted,

3 *s/ Heather Carroll*

4 Assistant Federal Public Defender

5 Attorney for Ashton Garcia